

1100 INFORMAL DISPUTE RESOLUTION (IDR)

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The request for an informal dispute resolution of deficiencies does not stay the requirement for submission of an acceptable plan of correction and allegation of compliance within the required time frame or the implementation of any remedy, and does not substitute for an appeal.

1101 REQUESTING AN INFORMAL DISPUTE RESOLUTION (IDR)

A **written request** for an informal dispute resolution must be made to the Arkansas Department of Health, Health Facility Services, 5800 West 10th, Suite 400, Little Rock, AR 72204 within ten calendar days of the receipt of the Statement of Deficiencies from the Office of Long Term Care. The request must:

1. List all deficiencies the facility wishes to challenge; and,
2. Contain a statement whether the facility wishes the IDR meeting to be conducted by telephone conference, by record review, or by a meeting in which the parties appear before the impartial decision maker.

1102 MATTERS WHICH MAY BE HEARD AT IDR

The IDR is limited to deficiencies cited on a Statement of Deficiencies. Issues that may not be heard at an IDR include, but are not limited to:

1. The scope and severity assigned the deficiency by the Office of Long Term Care, unless the scope and severity allege substandard quality of care or immediate jeopardy;
2. Any remedies imposed;
3. Any alleged failure of the survey team to comply with a requirement of the survey process;
4. Any alleged inconsistency of the survey team in citing deficiencies among facilities; and,
5. Any alleged inadequacy or inaccuracy of the IDR process.

1003 APPEALS TO COURT

Any applicant or licensee who considers himself/herself injured in his or her person, business or property by final Department administrative adjudication shall be entitled to judicial review thereof as provided for by law. All petitions for judicial review shall be in accordance with the Arkansas Administrative Procedure Act as codified at Ark. Code Ann. § 25-15-201, *et seq.*

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7/1/03

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